

UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION – DETROIT

In the Matter of:

CITY OF DETROIT, MICHIGAN,  
  
Debtor.

Chapter 9  
Case No. 13-53846-swr  
Hon. Steven W. Rhodes

**AFFIDAVIT OF JAY S. KALISH IN SUPPORT OF MOTION FOR EX PARTE ORDER TO  
ADJOURN HEARING ON THOMAS GERALD MOORE’S MOTION (DOC. #1035) FOR  
RELIEF FROM THE AUTOMATIC STAY TO ALLOW CIVIL LITIGATION TO PROCEED  
FOR DISCOVERY PURPOSES AND/OR TO RECOVER ANY INSURANCE COVERAGE  
UNDER DEFENDANTS’ HOMEOWNERS INSURANCE POLICIES**

STATE OF MICHIGAN     )  
  )ss  
COUNTY OF OAKLAND    )

Jay S. Kalish, being first duly sworn, deposes and says as follows:

1. He is the attorney for movant, Thomas Gerald Moore, (“Moore”), in the above captioned matter.
2. He is competent to provide this Court with the following information.
3. On September 26, 2013, at Doc. #1035, Moore filed his Motion For Relief from the Automatic Stay to Allow Civil Litigation to Proceed for Discovery Purposes and/or To Recover Any Insurance Coverage under the Defendants’ Homeowners Insurance Policies (the “Motion”).
4. On October 10, 2013, at Doc. #1145, the Debtor filed its Objection to the Motion.
5. On October 12, 2013, at Doc. #1178, the Detroit Police Officer’s Association filed an Objection to the Motion.
6. On October 21, 2013, at Doc. #1278, the Court set a hearing date of November 13, 2013 at 10:00 a.m. (the “Hearing”) as the date and time for a hearing on the Motion and on October 23, 2013, at Doc. #1335, the Court rescheduled the Hearing for November 14, 2013 at 10:00 a.m. (the “Adjourned Hearing”).

7. He and Timothy Fusco, Counsel for the Debtor have been engaged in settlement discussions which, if successful, will obviate the need for the Court to hold the Hearing.
8. Mr. Fusco does not object to the Adjourned Hearing on the Motion being adjourned to a date in December when the Court is next available to hear the Motion.
9. Further, deponent sayeth not.

/s/ Jay S. Kalish  
JAY S. KALISH

Subscribed and sworn to before me  
this 11<sup>th</sup> day of November, 2013  
/s/ Mimi D. Kalish  
Mimi D. Kalish, Notary Public  
Oakland County, MI  
My commission expires 2/27/2020